

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

1:07CR103

FILED
ASHEVILLE, N.C.

FEB 27 2009

U.S. DISTRICT COURT
W. DIST. OF N.C.

UNITED STATES OF AMERICA,

Plaintiff,

v.

MERRILL RUPPE

Defendant.

ORDER

FOR SEIZURE

OF SUBSTITUTE PROPERTY

WHEREAS, the Court has previously entered a Preliminary Order of Forfeiture concerning the property listed below;

WHEREAS, the United States, in its Motion for the Preliminary Order of Forfeiture, did not request the authority to seize the property;

WHEREAS, the United States, with the agreement of the defendant, has now requested the authority to seize the property in order to sell the property to satisfy that part of the sentence of the Court which included a money judgment of \$60,831;

NOW, THEREFORE, pursuant to Fed. R. Crim. P. 32.2(b)(3), the Attorney General or his designee is authorized to seize the forfeited property subject to forfeiture; to conduct any discovery proper in identifying, locating, or disposing of the property; and to commence proceedings that comply with any statutes governing third party rights. The property is:

- a. Proceeds, estimated to be \$105,000.00, of the sale of real property at 100 Meadow Lark Lane, Grover, Cleveland County, North Carolina, by the defendant to Dennis Coleman, her ex-husband, on September 12, 2008, as described in a deed at Book 1561, Page 473, of the Cleveland County Public

Registry, which real property was included as an asset in the defendant's Presentence Report (§ 53). Exhibit A.

- b. Real property, with a tax value of \$10,947.00, owned by the defendant at 106 Meadow Lark Lane, Grover, Cleveland County, North Carolina, since December 13, 2002. Exhibit B, Cleveland County real property tax record attached.
- c. Real property, with a tax value of \$11,689.00, owned by the defendant at 110 Meadow Lark Lane, Grover, Cleveland County, North Carolina, since December 13, 2002. Exhibit C, Cleveland County real property tax record attached.
- d. Real property, with a tax value of \$12,459.00, owned by the defendant at 113 Meadow Lark Lane, Grover, Cleveland County, North Carolina, since December 13, 2002. Exhibit D, Cleveland County real property tax record attached.
- e. Real property, with a tax value of \$11,103.00, owned by the defendant at 116 Meadow Lark Lane, Grover, Cleveland County, North Carolina, since December 13, 2002. Exhibit E, Cleveland County real property tax record attached.
- f. Motor vehicle, a 1981 Chevrolet Corvette, with an estimated value of \$4,100.00, registered to the defendant in Cleveland County, North Carolina.

The United States is ordered to report to the Court the result of the sale of property up to the amount of the money judgment.

IT IS SO ORDERED.

This the 27th day of February, 2009.


 THOMAS SELBY ELLIS, III
 UNITED STATES DISTRICT COURT JUDGE